REMARKS

By this amendment, applicants have canceled claims 1 - 10 and added claims 11 - 21 to more clearly define their invention. Claims 11 - 21 are supported by the figures and the description thereof at page 4, line 22 et. seq. of applicants' specification. Applicants have also amended Fig. 4 to correct a clerical error with respect to reference numeral 206.

In view of the cancellation of claims 7 and 9, the rejection of these claims under 35 USC 112, second paragraph, is moot. It is submitted the language deemed indefinite by the Examiner is not set forth in the newly added claims.

Claims 1 - 4, 9 and 10 stand rejected under 35 USC 103(a) as allegedly being unpatentable over PCT Publication No. WO97/09621 in view of United States Patent No. 4,595,562 to Liston et al. Claims 5 - 8 and 10 stand rejected under 35 USC 102(b) as being anticipated by PCT Publication No. WO97/09621. Applicants traverse these rejections, at least insofar as they apply to the claims presently in the application.

The present invention relates to an automatic analyzer for performing a biochemical inspection or an immunity inspection. As shown, by way of example only, in the Figures, the analyzer includes a body 200 having a top panel 201 (see, Figures 2, 3(a) and 4). A sample disk 12 is provided in the top panel for storing a plurality of sample cups 11; a reagent disk 22 is provided for storing a plurality of reagent bottles 21; and a reaction disk 3 is provided for storing a plurality of reaction cuvettes 2 for reacting sample liquid in the sample cups 11 with reagent and the reagent bottles 21 (see, e.g., Figures 1 and 3(a)).

A sample feeder (e.g., including a movable arm 14 and a nozzle 13 connected to pipettor 15) is provided for sucking a predetermined amount of sample liquid from

a sample cup 11 in a specifi d position of the sample disk 12 in response to sample information from the sample cup 11 at the specified position of the sample disk and for discharging the sample liquid to a reaction cuvette 2 at a specified portion of the reaction disk 3 (see, e.g., Figure 1). A cover 204 is provided and is movable between an open position (see, e.g., Figures 2, 3(a) and 5(a)) and a closed position (see, e.g., Figures 4 and 5(b)). In the closed position, the cover 204 covers the sample feeder (e.g., 14), the reaction disk 3 and a part of the sample disk 12. The sample disk 12 is provided with a sample disk cover which comprises two units 206, 207. One of the units 206 is removable and exposed outside the cover 204 when the cover is in the closed position (see, e.g., Figures 3(b), 2, 4 and 5(b)).

PCT Publication No. WO97/09621 discloses an automatic analyzer and display method for an automatic analyzer. The analyzer is provided with a cover 1 which covers the reaction disk 3, a cover 10 which covers the specimen disk 12, a cover 20 which covers the reagent disk 22, and a transparent cover 30 which covers the specimen and reagent and extracting injecting units 14 and 24. However, the cover 30 of this document does not appear to cover, in a closed position, the reaction disk and a part of the sample disk. Moreover, the cover 10, which covers the specimen disk 12 does not comprise two units, one of which is removable and is exposed outside another cover when the another cover is in the closed position, as presently claimed. Accordingly, this publication does not disclose and would not have suggested the presently claimed invention.

Since the cover 204 of the present invention covers a part of the sample disk and the sample disk cover 206, 207 comprises two units, one of which 206 is removable and is exposed outside the cover when the cover is in the closed position, an urgent sample can be easily and safely inserted by the operator. See, e.g., page

18, lines 10 - 15 of applicants' specification. Such is neither disclosed nor suggested by WO97/09621.

The patent to Liston et al discloses a loading and transfer assembly for a chemical analyzer. The Examiner cites the Liston et al patent only for its teachings with respect to a signaling means 56 described at column 6, lines 35 - 50 of Liston et al. However, clearly nothing in Liston et al remedies any of the basic deficiencies noted above with respect to WO97/09621. Therefore, the presently claimed invention is patentable over the proposed combination of references.

Applicants note the Examiner has cited the patent to Umetsu et al as being pertinent to applicants' disclosure. However, since this patent was not applied in rejecting claims formerly in the application, further discussion of this patent is deemed unnecessary.

In view of the foregoing amendments and remarks, favorable reconsideration and allowance of all of the claims now in the application are requested.

To the extent necessary, applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in the fees due in connection with the filing of this paper, including extension of time fees, to the deposit account of Antonelli, Terry, Stout & Kraus, LLP, Deposit Account No. 01-2135 (Case: 520.40347X00), and please credit any excess fees to such deposit account.

Respectfully submitted,

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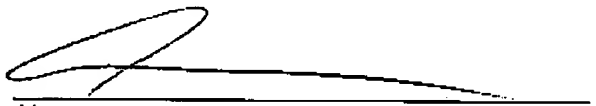

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Attachments